

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of the	)	
	)	
Telecommunications Carriers Eligible for	)	WC Docket No. 09-197
Universal Service Support	)	
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Conexions Petition for Forbearance	)	

**CONEXIONS' COMPLIANCE PLAN**

Conexions, LLC d/b/a Conexion Wireless (“Conexions” or the “Company”), by its attorney, hereby files its plan outlining the measures it will take to implement the conditions imposed by the Federal Communications Commission ( “Commission”) in its recent Order, released October 1, 2010, in the above-captioned matter.<sup>1</sup> Given the severe economic environment that is forcing many lower-income customers to forego wireless service, Conexions respectfully requests expeditious approval of this plan so that the Company, upon designation as an Eligible Telecommunications Carrier (“ETC”), may quickly deploy much-needed Lifeline services to many low-income customers.

**BACKGROUND**

The Commission’s *Order* conditionally granted Conexions’ request for forbearance from the Section 214(e)(1)(A) requirement that a carrier designated as an ETC for purposes of federal universal service support provide services, at least in part, over its own facilities, stating “Conexions may seek ETC designation to offer discounted service to qualified low-income consumers through the universal service Lifeline program.”<sup>2</sup> The petition for forbearance was denied for the purposes of participating in the Link Up program.

The Commission found that a conditional grant of forbearance for Conexions from the facilities requirement of Section 214(e) for the purpose of seeking ETC designation to provide Lifeline support only “will further the statutory goal of providing low-income subscribers access to

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<sup>1</sup> See *Telecommunications Carriers Eligible for Universal Service Support, Federal-State Joint Board on Universal Service; In the Matter of Conexions Petition for Forbearance*, Order, FCC 10-178, released Oct. 1, 2010 (“*Order*”).

<sup>2</sup> *Order* at ¶ 1.

telecommunications and emergency services, while protecting the universal service fund against waste, fraud and abuse.”<sup>3</sup> The Commission’s grant of forbearance is subject to the following conditions: (1) Conexions providing its Lifeline customers with 911 and Enhanced 911 (E911) access, regardless of activation status and availability of minutes; (2) Conexions providing its Lifeline customers with E911-compliant handsets and replacing, at no additional charge to the customer, noncompliant handsets of existing Lifeline-eligible customers who obtain Lifeline-supported service; (3) Conexions complying with conditions (1) and (2) as of the date it provides Lifeline service; and (4) Conexions obtaining a certification from each public safety answering point (PSAP) where Conexions seeks to provide Lifeline service confirming that the carrier provides its customers with 911 and E911 access or self-certifying that it does so if certain conditions are met; (5) Conexions requiring each customer to self-certify at the time of service activation and annually thereafter that he or she is the head of household and receives Lifeline-supported service only from Conexions; (6) Conexions establishing safeguards to prevent customers from receiving multiple Lifeline subsidies from Conexions at the same address; and (7) Conexions dealing directly with the customer to certify and verify the customer’s Lifeline eligibility.<sup>4</sup> The Commission required Conexions to submit a plan, within thirty days of the release of the Order, outlining the measures it would take to implement each one of these obligations.<sup>5</sup>

### **COMPLIANCE PLAN**

Conexions commends the Commission’s commitment to a nationwide communications system that promotes the safety and welfare of all Americans, including Lifeline customers.<sup>6</sup> Conexions will comply with all conditions set forth in the *Order*, the provision of this Compliance Plan, and all laws and regulations governing its provision of Lifeline-supported prepaid wireless service to customers throughout the United States.

#### **I. Access to 911 and E911 Services**

In the *Order*, the Commission required Conexions to provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service, and stated that, in order to demonstrate compliance with the condition, Conexions must obtain certification from each PSAP

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<sup>3</sup> *Order* at ¶ 20.

<sup>4</sup> *See Order* at ¶¶ 11, 17.

<sup>5</sup> *See Order* at ¶ 17.

<sup>6</sup> *See Order* at ¶ 14.

where it provides Lifeline service confirming that its customers receive 911 and E911 services. If within the “evaluation period,” as defined in the *Order*, a PSAP has neither provided the certification nor made an affirmative finding that the Company does not provide its customers with 911 and E911 services within the applicable service area, the *Order* allowed Conexions to self-certify that it meets the requirements.<sup>7</sup> The Commission and consumers are hereby assured that all Conexions customers will have available access to emergency calling services at the time that Lifeline service is initiated, and that such 911 and E911 access will be available from Conexions handsets, even if the account associated with the handset has no minutes remaining.

Conexions can ensure the Commission that all Lifeline customers will have meaningful access to emergency calling services at the time the customer activates Lifeline service, and that such access will continue regardless of the customer’s account status or the availability of minutes. The Company’s existing practices currently provide access to 911 and E911 services to the extent that these services have been deployed by its underlying carriers, Verizon Wireless and Sprint Nextel (“Sprint/Verizon”). Conexions also currently enables 911 emergency calling services for all properly activated handsets regardless of whether the account associated with the handset is active, suspended or terminated. Finally, the Company transmits all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

To satisfy the conditions of the *Order* regarding 911 and E911 services, Conexions will implement the following measure prior to deploying Lifeline services in a given area. Initially, the Company will confirm that its underlying carriers have deployed E911 services in a specific PSAP territory. Conexions will obtain the requisite certification from each PSAP where it provides Lifeline service confirming that its customers receive 911 and E911 services.<sup>8</sup> If within the evaluation period a PSAP has neither provided such certification nor made an affirmative finding that the Company does not provide its customers with 911 and E911 services within the applicable service area, Conexions will self-certify that it meets the basic and E911 requirements. Before self-certifying, Conexions will obtain from the underlying carrier from whom the Company purchases service in the respective area a certification that the underlying carrier routes emergency calls from Conexions’ customers to the PSAP in the same manner that the underlying carrier routes emergency

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<sup>7</sup> See *Order* at ¶ 12.

<sup>8</sup> A form of this PSAP certification request is attached hereto as Exhibit A.

calls from its own customers.<sup>9</sup> Conexions will furnish to the Commission, upon request, copies of all PSAP certifications.

## **II. E911-Compliant Handsets**

The Commission also conditioned its grant of forbearance determination on Conexions providing only E911-compliant handsets to its Lifeline customers.<sup>10</sup> Conexions will ensure that all handsets used in connection with the Lifeline service offering are E911-compliant. In fact, Conexions' phones have been and will continue to be E911-compliant as required by the Company's contracts with underlying carriers. Conexions' phone vendor is ReCellular Inc., the world's leading electronics sustainability firm. ReCellular resells used phones and equipment such as Motorola, Blackberry and Apple, which are E911 compliant handsets. For existing customers, Conexions will confirm at the time of enrollment in the Lifeline program that the customer has a 911/E911-compliant handset. In the event that an existing customer does not have an E911-compliant handset, the Company will replace it with a new 911/E911-compliant handset at no charge to the customer. Any new customer that qualifies for and enrolls in the Lifeline program is assured of receiving a 911/E911-compliant handset as well, free of charge.

## **III. Certification of Lifeline Customers' Eligibility**

To safeguard against misuse of the Lifeline service plan, the *Order* required Conexions to deal directly with the customer and require each customer to self-certify under penalty of perjury at time of service activation and annually thereafter that they are the head of household and receive Lifeline-supported service only from Conexions.<sup>11</sup> The Commission also required Conexions to establish safeguards to prohibit more than one supported Conexions service at each residential address<sup>12</sup>. Conexions proposes the following plan to implement these certification and verification conditions:

### **A. Policy**

Conexions will comply with all certification and verification requirements for Lifeline eligibility established by states where it is designated as an ETC. In states where there are no state-imposed requirements, Conexions will comply with the certification and verification procedures in

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<sup>9</sup> *Order* at ¶ 12.

<sup>10</sup> *See Order* at ¶ 11.

<sup>11</sup> *See Order* at ¶ 17.

<sup>12</sup> *See id.*

effect in that state as reflected on the website of the Universal Service Administration Company. However, for any states which do not mandate Lifeline support and/or which do not have established rules of procedure in place, Conexions will certify at the outset and will verify annually consumers' Lifeline eligibility in accordance with the Commission's requirements.

## **B. Certification Procedures**

Conexions will implement certification procedures that enable consumers to demonstrate their eligibility for Lifeline assistance by contacting Conexions via telephone, facsimile, or the internet. At the point of sale, consumers will be provided with printed information describing Conexions' Lifeline program, including eligibility requirements, and with instructions for enrolling. Consumers will be directed to a toll-free telephone number and to Conexions' website, which will contain a link to information regarding the Company's Lifeline service plan, including a detailed description of the program and state-specific eligibility criteria. Conexions understands and accepts the Commission's requirement that the Company have direct contact with all customers applying for participation in the Lifeline program.<sup>13</sup> Retailers will have no role in the Lifeline application process, other than to provide customers with printed information regarding the program.

Consumers will be required to call a toll-free number to complete an application over the phone. The application will then be mailed to the customer for signature under penalty of perjury and for the submission of supporting documentation. The signed application and support documentation must be returned to the address provided by the Company. Processing of consumer applications, including review of all application forms and relevant documentation, will be performed under Conexions' supervision by managers experienced in the administration of the Lifeline program.

Conexions will insure that all required documentation is taken care of properly by using state-specific compliance checklists. In addition, the Lifeline application form will include a certification section where the applicant must attest and sign under penalty of perjury that the applicant meets the relevant eligibility criteria. For states with program-based eligibility criteria, the form will list each of the qualifying programs, and the applicant will be required to identify the program(s) in which they participate. For states with income-based eligibility criteria, the applicant will be required to certify under penalty of perjury that their household income does not exceed the

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<sup>13</sup> See Order at ¶ 17.

relevant threshold (e.g., 135% of the Federal Poverty Guidelines for federal default states) and will be required to provide proof of income-based eligibility. Applicants will also be required to certify under penalty of perjury that they are head of their household and receive Lifeline-supported service only from Conexions. Penalties for perjury will be clearly-stated on the certification form, as required by the *Order*.<sup>14</sup>

Finally, the application forms will require each applicant to provide their name, primary residential address and an alternate telephone number (if any). Conexions will incorporate this information into its customer information database. The Company will check the name and address of each Lifeline applicant against its database to determine whether or not it is associated with a customer that already receives Conexions Lifeline service, and will then review the application to ascertain whether the applicant is attempting to receive Lifeline-supported service for more than one handset associated with the address. Conexions will deny the Lifeline application of any such individual and advise the applicant of the basis for the denial. Conexions shares the Commission's concern about abuse of the Lifeline program and is thus committed to the safeguards stated herein, with the belief that the procedures it will implement will prevent Conexions customers from engaging in such abuse of the program.

### **C. Verification Procedures**

As required by the Commission's *Order*, Conexions will require every consumer enrolled in the Lifeline program to verify on an annual basis that they are the head of their household and only receive Lifeline service from Conexions.<sup>15</sup> Conexions will notify each participating Lifeline consumer on the anniversary of their enrollment that they must confirm their continued eligibility in accordance with the applicable requirements. Such verification will be required in order for the consumer to continue to purchase prepaid airtime from Conexions at the discounted rate only available to those customers who are enrolled in its Lifeline program.

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<sup>14</sup> See *Order* at ¶ 18.

<sup>15</sup> See *Order* at ¶ 17.

## CONCLUSION

Conexions submits that its Compliance Plan fully satisfies the conditions set forth in the Commission's *Order* granting forbearance to the Company. Implementation of the procedures described herein will promote public safety and should ensure that Lifeline customers have access to 911 and E911 services while safeguarding against misuse of the Company's Lifeline services. Accordingly, Conexions respectfully requests that the Commission expeditiously approve its Compliance Plan so that, upon grant of ETC designation, Conexions may begin providing the benefits of much-needed Lifeline service to qualifying low-income consumers as quickly as possible.

Respectfully submitted,

CONEXIONS, LLC D/B/A  
CONEXION WIRELESS



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*Its Counsel*

October 29, 2010

**EXHIBIT A**

**PSAP CERTIFICATION REQUEST**



[Date]

Public Safety Answering Point Coordinator

[Address]

Re: Request for PSAP Certification for Lifeline Participation

Dear PSAP Coordinator:

This is to inform you that Conexions, LLC d/b/a Conexion Wireless ("Conexions"), has been designated an Eligible Telecommunications Carrier ("ETC") by the Federal Communications Commission ("FCC") for the purpose of offering reduced-cost service to low-income customers in the state of [State] under the federal Lifeline program. (See attached FCC Order \_\_\_\_\_ released \_\_\_\_\_.)

Lifeline ensures that low-income customers have access to quality telephone service at a reasonable, affordable rate, and Conexions is pleased to be among the wireless carriers offering Lifeline service to low-income customers, particularly during this difficult economic environment.

The FCC's approval for Conexions to offer Lifeline service was conditional upon the following requirements: (1) offer 911 and enhanced 911 (E911) access immediately upon activation of service, and (2) provide its new Lifeline customers with E911-compliant handsets and replace, at no additional charge to the customer, noncompliant handsets of existing Lifeline-eligible customers who obtain Lifeline service. The FCC further required that Conexions seek certification from each Public Safety Answering Point ("PSAP") where Conexions intends to offer Lifeline service confirming that Conexions provides its customers with 911 and E911 access. Conexions is seeking this certification from your PSAP based on the information provided in this letter and any additional information you may request.

Conexions' wireless services operate on the Verizon Wireless and Sprint Nextel ("Sprint/Verizon") networks. As you may be aware, Sprint/Verizon has completed the deployment of facilities necessary to offer Phase I and/or II E911 services in your service area, providing Sprint, Verizon and Conexions customers with 911 and E911 access. Conexions' Lifeline customers will enjoy this same access to 911 and E911 service once activated for service, regardless of activation status or availability of prepaid airtime. As required by the FCC, all Conexions handsets will comply with applicable federal requirements governing the provision of 911 and E911 service. Conexions will provide new Lifeline customers with E911-compliant handsets and, for existing customers who subscribe to Lifeline service, will verify that their handsets are E911-compliant or replace the handset at no charge to the customer.

For your convenience, enclosed is a certification form for your review and signature as PSAP Coordinator. Please return the signed certification form in the self-addressed stamped envelope. As required by the FCC, Conexions will keep the certification on file in the event the FCC seeks to review this documentation. **If within 90 days of receipt of this letter, you do not provide the certification or make an affirmative finding that Conexions does not provide its customers with 911 and E911 service in your area, Conexions is permitted to self-certify compliance with the requirements for 911 and E911 access for this PSAP.** (See FCC Order 10-178 at para. 12.)

Should you have any questions about the foregoing, please contact us at 321-373-1333 or tom@telecomgroup.com. Please be sure to include your name and address in the email.

Thank you in advance for your cooperation and for enabling Conexions to offer Lifeline service to low-income customers in your PSAP jurisdiction.

Sincerely,

Thomas Biddix  
Conexions, LLC d/b/a Conexion Wireless

**Conexions Lifeline Program  
PSAP Certification Form**

State of \_\_\_\_\_

PSAP Name: \_\_\_\_\_

PSAP Coordinator Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

PSAP Jurisdiction Description: \_\_\_\_\_

In my capacity as the Coordinator for the Public Safety Answering Point ("PSAP") described above, I am responsible for the implementation of 911 and Enhanced 911 ("E911") service in accordance with the rules and regulations of the Federal Communications Commission ("FCC").

I have been informed by Conexions, LLC d/b/a Conexion Wireless ("Conexions") that, by Order dated \_\_\_\_\_, the FCC has designated Conexions as an Eligible Telecommunications Carrier ("ETC") pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended (47 U.S.C. § 214(e)(6)), for the limited purpose of providing Lifeline service in [State], among other states. I have further been informed that the FCC's designation of Conexions as an ETC is subject to certain conditions, including a condition that Conexions must obtain certification from each PSAP where it will offer Lifeline service that Conexions customers will have 911 and E911 access immediately upon activation of service.

In connection with its request for certification by the PSAP, Conexions has provided certain information. I have been informed by Conexions that its wireless service operates on the Verizon Wireless and Sprint Nextel ("Sprint/Verizon") networks. Conexions has indicated that its Lifeline customers will have the same access to 911 and E911 service as the retail customers of Sprint/Verizon. In addition, Conexions has represented that its Lifeline handsets will comply with the FCC Order requiring that the handsets be capable of accessing 911 and E911 service regardless of activation status or availability of prepaid airtime.

Upon information and belief, in my capacity as PSAP Coordinator, I hereby certify that Conexions has provided evidence that it is complying with the FCC requirement that it provide customers with access to basic and E911 service immediately upon activation of Lifeline service.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of PSAP Coordinator